Edward A. Steinberg, Esq. LEAV & STEINBERG, LLP 75 Broad Street, Suite 1601 New York, New York 10004 Tel. No.: (212) 766-5222

Fax No.: (212) 693-2377 Email: eas@lstriallaw.com

Attorneys for Plaintiff- SONJI M. ASTORGA

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK	
	X
SONJI M. ASTORGA,	NOTICE OF MOTION
	FOR PARTIAL
Plaintiff,	SUMMARY JUDGMENT
	ON THE ISSUE OF
-against-	LIABILITY
ALLSTATE OIL RECOVERY, CO. and	Referred to the Honorable

ALLSTATE OIL RECOVERY, CO. and RICHARD J. WOODHAM,

Sarah Netburn, United
States Magistrate Judge

DOCKET No : 16-cy-5068

Defendants.

PLEASE TAKE NOTICE, that upon the annexed affirmation of EDWARD A.

STEINBERG, ESQ. duly affirmed on December 13, 2017, together with the exhibits annexed thereto, and upon all the pleadings and proceedings heretofore had herein, the undersigned will move this Court located at Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007 as soon as counsel can be heard for an Order, pursuant to Rule 56 of the Federal Rules of Civil Procedure:

- Granting plaintiff SONJI M. ASTORGA partial summary judgment on the issue of liability as against the defendants ALLSTATE OIL RECOVERY, CO. and RICHARD J. WOODHAM;
- 2) Setting this matter down for a trial on the issue of damages only;
- 3) Such other and further relief, which to this Court seems just and proper.

PLEASE TAKE FURTHER NOTICE, that answering affidavits, if any, are to be served upon the undersigned by January 15, 2018, as per the teleconference conducted and subsequent Order dated September 5, 2017.

Dated: New York, New York December 13, 2017

> Edward A. Steinberg, Esq. LEAV & STEINBERG, LLP 75 Broad Street, Suite 1601 New York, New York 10004

Tel. No.: (212) 766-5222 Fax No.: (212) 693-2377

File No.: 155080

Email: eas@lstriallaw.com

To:

Randy S. Faust, Esq. (RSF-2011)
FAUST GOETZ SCHENKER & BLEE, LLP Attorneys for Defendants
Two Rector Street, 20th Floor
New York, New York 10006
Tel. No.: (212) 363-6900

Fax No.: (212) 363-1090 File No.: 14296-CHB Email: rfaust@fgsb.com